6. **Repeal and saving**—(1) As from the commencement of this Act, the Interest Act, 1839 (32 of 1839) ,and any other law corresponding thereto in force in any State immediately before such commencement shall stand repealed.

(2) The provisions of this Act shall not apply to any suit or other legal proceeding pending at the commencement of this Act and the provisions of the corresponding law applicable immediately before such commencement shall, notwithstanding the repeal of such law by sub-section (1), continue to apply to such suit or other legal proceeding.

(3) The mention of particular matters in sub-section (2) shall not be held to prejudice or affect the general application of section 6 of the General Classes Act, 1897 (10 of 1897) with regard to the effect of repeal.

Notification No. LAW 18 LCA 78

Bangalore, dated 19th April 1978

Ordered that the Child Marriage Restraint (Amendment) Act, 1978 (Act 2 of 1978) published in Part II, Section I of the *Gazette of India*, Extraordinary, dated 14th March 1978 be republished in the *Karnataka Gazette* for general information.

By Order and in the name of the Governor of Karnataka,

A. NEELAKANTARYA,

Under Secretary to Government,
Department of Law and Parly. Affairs.

Assented to on 13th March 1978. Act No. 2 of 1978

THE CHILD MARRIAGE RESTRAINT (AMENDMENT) ACT, 1978

AN

ACT

further to amend the Child Marriage Restraint Act, 1929, and to make certian consequential amendments in the Indian Christian Marriage Act, 1872, and the Hindu Marriage Act, 1955.

BE it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows :—

1. **Short title and commencement**.—(1) This Act may be called the Child Marriage Restraint (Amendment) Act, 1978.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Amendment of section 2.**—In section 2 of the Child Marriage Restraint Act, 1929 (19 of 1929) (hereinafter referred to as the principal Act), for clause (a), the following clause shall be substituted, namely :—

'(*a*) ' Child'' means a person who, if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age ;' .

3. **Insertion of new section 7 :**—After section 6 of the principal Act, the following section shall be inserted, namely :—

Offences to be cognizalbe for certain purposes.—''7. The Code of Criminal Procedure, 1973, (2 of 1974) shall apply to offences under this Act as if they were cognizable offences.—

(*a*) for the purpose of investigation of such offences ; and

(*b*) for the purposes of matters other than (*i*) matters referred to in section 42 of the Code, and (*ii*) the arrest of a person without a warrant or without an order of a Magistrate. ''

4. **Amendment of section 8 .**—In section 8 of the principal Act, —

(*a*) for the word and figures ''Code of Criminal Procedure, 1898'', (5 of 1898.) the words and figures ''Code of Criminal Procedure, 1973'' (2 of 1974) shall be substituted ;

(*b*) for the words ''Presidency Magistrate or a Magistrate of the first class'', the words ''Metropolitan Magistrate or a Judicial Magistrate of the first class'' shall be substituted.

5. **Amendment of section 10 .**—In section 10 of the principal Act, for the words and figures ''Code of Criminal Procedure, 1898'', (5 of 1898) the words and figures ''Code of Criminal Procedure, 1973'' (2 of 1974.) shall be substituted.

6. **Amendment of certain enactments :**—The enactments specified in the Schedule are hereby amended in the manner mentioned therein.

THE SCHEDULE

[*See* section 6]

Year	No.	Short title	Amendments
1872	15	The Indian Christian Marriage Act, 1872.	In section 60.— (i) in condition number (i), for the words "eighteen years" and "fifteen years" the words "twenty-one years" and "eighteen years" shall respectively be substituted ; (ii) the proviso shall be omitted.
1955	25	The Hindu Marriage Act, 1955	(1) In section 5.— (i) in clause (iii), for the words "eighteen years" and "fifteen years", the words "twenty-one years" and "eighteen years" shall respectively be substituted ; (ii) clause (vi) shall be omitted. (2) Section 6 shall be omitted. (3) In section 12, in sub-section (1) in clause (c), for the words and figure "is required under section 5", the words, figures and brackets "was required under section 5 as it stood immediately before the commencement of the Child Marriage Restraint (Amendment) Act, 1978" shall be substituted. (4) In section 18.— (*i*) for the brackets, letters and word "(*v*) and (*vi*)" the word, brackets and letter "and (*v*)" shall be substituted ; (*ii*) in clause (*b*), the word "and" occuring at the end shall be omitted ; (*iii*) clause (*c*) shall be omitted.